Bryan W. Shaw, Ph.D., P.E., Chairman Toby Baker, Commissioner Jon Niermann, Commissioner Richard A. Hyde, P.E., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 18, 2017

The Honorable Dan Patrick Lieutenant Governor of Texas Capitol Station PO Box 12068 Austin, Texas 78711

Re:

Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution.

Senate Bill (SB) 2250, as Filed by Senator Brandon Creighton and Senator Robert Nichols relating to the board of directors of the Lone Star Groundwater Conservation District.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill amends Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, Lone Star Groundwater Conservation District (District), located in Montgomery County, by changing the number of appointed District board directors from nine, to seven elected directors. One director is elected from each of the four commissioner's precincts of Montgomery County and one director is elected by the voters at large. The City of Conroe voters also elect one director and the Woodlands Township voters elect the final director. Directors serving on August 31, 2017 shall serve until the successor is elected on the uniform election date in November 2018. After the November 2018 election, the precinct 1 director, the at-large director, and the director elected by the City of Conroe shall serve a two year term that expires December 1, 2020. The directors of precincts 2, 3, and 4 and the elected Woodlands Township director shall serve a four year term, expiring on December 1, 2022. Vacancies are filled according to Texas Water Code §36.051 (c). The timing and manner of the appointment of the previous nine board members and filling of vacancies is removed.

Sincerely,

Kim Wilson, Director Water Availability Division

cc: The Honorable Charles Perry, Chairman, Senate Committee on Agriculture, Water, and Rural

Senator Brandon Creighton, Texas Senate Senator Robert Nichols, Texas Senate

LETTER OF TRANSMITTAL TEXAS SENATE STATE OF TEXAS

SB 2250

Bill Number

TO:

The Honorable Governor of Texas

SUBJECT:

A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

| | 3/2 | $\frac{23}{2}$ | 20 | 1 | 7 | |
|---|-----|----------------|----|---|---|--|
| _ | | | _ | | | |

Date transmitted to Governor's Office

neg anhar

TO:

Texas Commission on Environmental Quality

SUBJECT:

A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 24, 2017

Date transmitted to

Governor

Texas Commission on Environmental Quality

TO:

The Honorable President of the Senate

The Honorable Speaker of the House of Representatives

The Honorable Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

Texas Commission on Environmental Quality

By: Creighton, Nichols

S.B. No. 2250

A BILL TO BE ENTITLED

- AN ACT
- 2 relating to the board of directors of the Lone Star Groundwater
- 3 Conservation District.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- SECTION 1. Sections 6(a) and (c), Chapter 1321, Acts of the
- 6 77th Legislature, Regular Session, 2001, are amended to read as
- 7 follows:
- 8 (a) The district is governed by a board of seven elected
- 9 [nine] directors.
- 10 (c) Permanent directors serve staggered four-year terms. \underline{A}
- 11 director may not serve more than three full terms.
- SECTION 2. The heading to Section 7, Chapter 1321, Acts of
- 13 the 77th Legislature, Regular Session, 2001, is amended to read as
- 14 follows:
- 15 Sec. 7. <u>ELECTION</u> [APPOINTMENT] OF DIRECTORS.
- SECTION 3. Section 7(a), Chapter 1321, Acts of the 77th
- 17 Legislature, Regular Session, 2001, is amended to read as follows:
- 18 (a) The members of the board are $\underline{\text{elected}}$ [$\underline{\text{appointed}}$] as
- 19 follows:
- 20 (1) one director is elected from each of the four
- 21 county commissioners precincts by the voters of the applicable
- 22 precinct to be designated as the director whose place number
- 23 <u>matches the applicable precinct number</u> [the Commissioners Court of
- 24 Montgomery County shall appoint two directors];

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S.B. No. 2250
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one director is elected by the voters of the
   district at large to be designated as the director for place number
   five;
 3
 4
               (3) one director is elected from the City of Conroe by
   the voters of that municipality; and
 6
               (4) one director is elected from the Woodlands
 7
   Township by the voters of that township [the board of directors of
   the Montgomery County Soil and Water Conservation District shall
 9
   appoint one director,
10
               [(3) the board of directors of the San Jacinto River
11
   Authority shall appoint one director,
12
               [(4) the mayor of the City of Conroe shall appoint one
13
   director.
14
               [(5) the mayors of all of the incorporated
   municipalities, other than the City of Conroe, located in whole or
16
   in part in Montgomery County, jointly shall appoint one director,
17
               [(6) the board of trustees of the Woodlands Joint
18 Powers Agency shall appoint one director;
19
               [(7) the boards of directors of all of the municipal
   utility districts located in whole or in part in Montgomery County
20
   that are not members of the Woodlands Joint Powers Agency and the
   district boundaries of which are located primarily to the east of
23
   Interstate Highway 45 jointly shall appoint one director; and
24
               [(8) the boards of directors of all of the municipal
25
   utility districts located in whole or in part in Montgomery County
   that are not members of the Woodlands Joint Powers Agency and the
   district boundaries of which are located primarily to the west of
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S.B. No. 2250
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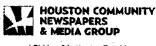
- 1 Interstate Highway 45 jointly shall appoint one director].
- SECTION 4. Chapter 1321, Acts of the 77th Legislature,
- Regular Session, 2001, is amended by adding Section 7A to read as
- 4 follows:

17

- Sec. 7A. TEMPORARY PROVISION. (a) A director of the board
- 6 of the Lone Star Groundwater Conservation District who is serving
- on August 31, 2017, shall serve until the director's successor has
- qualified following the directors' election held on the uniform
- election date in November 2018.
- 10 (b) After the November 2018 election, the precinct 1
- director, the at-large director, and the director elected by the
- City of Conroe shall serve a term that expires December 1 of the 12
- second year after the date of the election and the directors of
- precincts 2, 3, and 4 and the director elected by the Woodlands 14
- Township shall serve a term that expires December 1 of the fourth 16
- year after the date of that election. The initial two-year terms of the precinct 1 director, the at-large director, and the director
- elected by the City of Conroe do not count toward the term 18
- 19 limitation provided by Section 6(c) of this Act.
- 20 (c) This section expires September 1, 2024.
- SECTION 5. Sections 7(b), (c), (d), and (e), Chapter 1321, 21
- Acts of the 77th Legislature, Regular Session, 2001, are repealed.
- SECTION 6. (a) The legal notice of the intention to 23
- 24 introduce this Act, setting forth the general substance of this
- 25 Act, has been published as provided by law, and the notice and a
- 26 copy of this Act have been furnished to all persons, agencies,
- 27 officials, or entities to which they are required to be furnished

S.B. No. 2250

- 1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
- 2 Government Code.
- 3 (b) The governor, one of the required recipients, has
- 4 submitted the notice and Act to the Texas Commission on
- 5 Environmental Quality.
- 6 (c) The Texas Commission on Environmental Quality has filed
- $7\,\,$ its recommendations relating to this Act with the governor, the
- 8 lieutenant governor, and the speaker of the house of
- 9 representatives within the required time.
- 10 (d) All requirements of the constitution and laws of this
- 11 state and the rules and procedures of the legislature with respect
- 12 to the notice, introduction, and passage of this Act are fulfilled
- 13 and accomplished.
- SECTION 7. This Act takes effect September 1, 2017.



A Division of the Houston Chronicle

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS COUNTY OF MONTGOMERY

Personally appeared before the undersigned, a Notary Public within and for said County and State.

Jennifer Breitenbach, Representative for Brenda Miller-Ferguson, General Manager and Publisher of The Conroe Courier a newspaper of general circulation in the County of Montgomery, State of Texas. Who being duly sworn, states under oath that the report of Legal Notices, a true copy of which is hereto annexed was published in said newspapers in its issue(s) of the

| | f Jeprus | , 2017 | |
|--|--|---|------------|
| day o | | , 2017 | e e e m we |
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| Sworn to and subscribed before me this | | lishe's Representative | |
| Notacy Public | 3 Se Notary Public Comm Expli Harary D | ND. LEE , State of Texas res 05-16-2020 100704478 | A |
| My commission expires on (stamp) | A LOT O DELIVER DELIVER | CONTRACTOR | |

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THE ESTATE OF GEORGE WILLIAM BASHEN

freby given that original Letters of Testamentary for EDRGE WILLIAM BASHEN, Deceased, were issued on QUZ, in Cause, to U.73-478.0-P pending in the Proba dimetry County, Texas, to, JOHN STEPHEN "STEVE" gendent Executor. The address for mailing of claims is:

LEGAL NOTICES

dba Wayne Mechtel, to er's Permit (W) by Sou Hwv 105 West. Conroa coholic Beverage Com Application has been

STEPHEN "STEVE" DURHAM Independent Executor March Foreign (1987). Foreign (1987) and Independent Executor March Foreign (1987). Foreign (1987) and Independent Executor March Foreign (1987). Foreign (1987). Street, Suite 100 (1987). Foreign (1987). Street, Suite 100 (1987). Foreign (1987). Street March For

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RVS & CAMPERS SITES / CAMPING









sealed bick in duplicate addressed to MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRUIT NO. 94. will be received at the offices of Costello, Inc., 9990 Richmond Avenue, Suite 450. North Building, 1015 And Then publicly opened and read for furnishing all plant, labor, 2017 and then publicly opened and read for furnishing all plant, labor, material and equipment and performing all work required for the construction of the OUTFALL CHANNEL REPARIR AT SPRING TRAILS. In the state of the work is located in Montgomery County, TX. The site of the work is located in Montgomery County, South of Grand Paw and east of Hardy Toll Rd. Bidding Culments may be viewed and downloaded free of charge (with the WWK,CK-CastUSA, Com). Reproduction charges may apply.

Roach & Mitchell, PLLC 2800 Post Cask Boulevard, Suite 4100 Houston, Texas 77056 (832) 390-2268 (phone) (832) 390-2250 (fax) Jonathan@RoachMitchell.com

THIS NOTICE is given in accordance with the requirements of Section 9(d). Article XVI, Texas Constitution. 'SEA BILL OF TANKE (A THE SEA

For more information or to obtain a copy of the proposed bill, including a metes and bounds description of the land to be included in the district, please contact:

digited the Constitution and laws of the State of Texas, notice is signed for the intention to apply to the 85th Legislature, Regular (Oct the introduction of a bif to be entitled an Act relating to the signed of the Lone Star Groundwater Conservation District. d persons will, therefore, take notice of the matters and in the foregoing statement of the substance of the contempast required by the Constitution and laws of the State of CC 2/18/17 oses to reform the board of directors of the Lone Star Conservation District

WF RITY HOUSES, LAND & REAL ESTATE NOTES! Page 8B | Saturday, February 18, 2017 | The Courier | yourconroenews.com REAL ESTATE SERVICES MERCHANDISE Sell your stuff! Call today FOR SALE A Division of the Houston Chronicle HOUSTON COMMUNITY
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